

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JANE DOE 1, et al.,

Plaintiffs,

v.

No. 2:23-cv-1059 GBW/KRS

NEW MEXICO STATE UNIVERSITY, et al.,

Defendants.

SCHEDULING ORDER

THIS MATTER comes before the Court following a telephonic Rule 16 scheduling conference held on July 10, 2024. At the hearing, the Court adopted the parties' proposed Joint Status Report and Provisional Discovery Plan, with slight modifications, as reflected in the dates below.

Accordingly, **IT IS HEREBY ORDERED** that the parties shall adhere to the following discovery plan:

- (a) Maximum of seventy-five (75) interrogatories by Plaintiffs to NMSU Defendants and NMSU Defendants to Plaintiffs collectively. Other parties, maximum of twenty-five (25) interrogatories to any other party. Responses due 40 days after service.
- (b) Maximum of seventy-five (75) requests for admission by Plaintiffs to NMSU Defendants and NMSU Defendants to Plaintiffs collectively. Other parties, maximum of twenty-five (25) requests for admission to any other party. Responses due 40 days after service.
- (c) Maximum of seventy-five (75) requests for production by Plaintiffs to NMSU Defendants and NMSU Defendants to Plaintiffs collectively. Other parties, maximum

of twenty-five (25) requests for production to any other party. Responses due 40 days after service

(d) Maximum of fifteen (15) depositions per party exclusive of Parties and experts. Each deposition (other than of parties and experts) limited to maximum of four (4) hours, unless extended by agreement of the parties. Depositions of parties and experts limited to a maximum of seven (7) hours, unless extended by agreement of the parties.

IT IS FURTHER ORDERED that the following case management deadlines shall govern:

- (a) Deadline for Plaintiffs to amend pleadings and join additional parties pursuant to Federal Rule of Civil Procedure 15: **September 9, 2024**;
- (b) Deadline for Defendants to amend pleadings and join additional parties pursuant to Federal Rule of Civil Procedure 15: **October 9, 2024**;
- (c) Deadline for Plaintiffs' expert reports: **January 6, 2025**;
- (d) Deadline for Defendants' expert reports: **February 6, 2025**;
- (e) Termination of discovery: **March 21, 2025**;
- (f) Deadline for supplementing discovery/disclosures: Due within thirty (30) days of receipt of information giving rise to need to supplement;
- (g) Motions relating to discovery: **March 28, 2025**;
- (h) All other motions:¹ **April 10, 2025**;
- (i) Pretrial order: To be set by the presiding judge.

¹ This deadline applies to motions related to the admissibility of experts or expert testimony that may require a *Daubert* hearing, but otherwise does not apply to motions *in limine*. The Court will set a motions *in limine* deadline in a separate order.

IT IS FURTHER ORDERED that the Court must approve any changes to the timing or scope of discovery, other than the parties' agreement to extend the length of a deposition made during the deposition in question. Requests by a party to change the timing or scope of discovery, other than a mutual agreement to extend a deposition reached during the deposition, must be made by motion and before the termination of discovery or the expiration of any applicable deadline. Discovery must be completed on or before the termination of the discovery deadline. A written discovery request must be propounded by a date which ensures that the response to that request is due on or before the discovery deadline. The parties are further reminded that the cutoff for motions related to discovery does not relieve the party of the twenty-one (21) day time period under Local Rule 26.6 to challenge a party's objections to answering discovery. The parties are encouraged to review Federal Rule of Civil Procedure 26(a)(2) to ensure they properly disclose *all* testifying witnesses, not just those for whom a report is required.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE